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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,116	11/28/2001	Sean B. Simmons	555255012298	1523

7590 05/19/2005

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EXAMINER

PERILLA, JASON M

ART UNIT	PAPER NUMBER
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2634

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/996,116

Applicant(s)

SIMMONS ET AL.

Examiner

Jason M. Perilla

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2001.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/11/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-24 are pending in the instant application.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on September 11, 2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

3. Claims 1-24 are objected to because of the following informalities:

Regarding claim 1, in line 5, "read the consecutive stored" should be replaced by --read the stored consecutive--, in line 6, "monitor the read portions" should be replaced by --monitor the read stored consecutive portions--, in lines 6-7, "received signal" should be replaced by --received communications signal--, in line 8, "the stored portions of the received signal" should be replaced by --the read stored consecutive portions of the received communications signal--, and, in line 9, "read portions of the received signal" should be replaced by --read stored consecutive portions of the received communications signal--.

Regarding claim 2, in line 2, "stored portions" should be replaced by --stored consecutive portions--.

Regarding claim 8, in line 3, "the consecutive" should be replaced by --the stored consecutive--.

Regarding claim 9, in line 1, "read portions" should be replaced by --read stored consecutive portions--, in line 2, "the received signal to detect a sync signal" should be replaced by --the received communications signal to detect the

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sync signal--, and "read portions " should be replaced by --read stored consecutive portions--, and, in line 3, "received signal with the sync signal" should be replaced by --received communications signal with a predetermined sync signal--.

Regarding claim 12, in line 4, "the consecutive stored portions" should be replaced by --the stored consecutive portions--, in line 6, "the read portions of the received signal" should be replaced by --the read stored consecutive portions of the received communications signal--, in line 7, "in the stored portions" should be replaced by --in the read stored consecutive portions--, in line 8, "received signal" should be replaced by --received communications signal--, and, in line 10, "read portions" should be replaced by --read stored consecutive portions--.

Regarding claim 13, in line 1, "reading and" should be stricken because the step of reading is already determined in claim 12. Further, in line 2, "stored portions" should be replaced by --stored consecutive portions--.

Regarding claim 16, in line 3, "of the received communications signal" should be replaced by --of an analog received communications signal--.

Regarding claim 17, in line 4, "the consecutive stored" should be replaced by --the stored consecutive--, in lines 5-6, "the read portions of the received signal" should be replaced by --the read stored consecutive portions of the received communications signal--, in line 7, "the stored portions of the received signal" should be replaced by --the read stored consecutive portions of the received communications signal, and, in line 8, "read portions of the received

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signal” should be replaced by –read stored consecutive portions of the received communications signal--.

Regarding claim 18, in line 5, “reading the consecutive stored portions” should be replaced by –reading the stored consecutive portions--, in line 7, “read portions” should be replaced by –read stored consecutive portions--, in line 8, “stored portions” should be replaced by –stored consecutive portions--, and, in line 11, “read portions” should be replaced by –read stored consecutive portions--.

Regarding claim 20, in line 8, “reading the consecutive stored portions” should be replaced by –reading the stored consecutive portions--, in line 10, “read portions” should be replaced by –read stored consecutive portions—, in line 11, “the stored portions” should be replaced by –the read stored consecutive portions--, in line 12, “the received signal” should be replaced by –the received communications signal—, in line 14, “read portions of the received signal” should be replaced by –read stored consecutive portions of the received communications signal--.

Regarding claim 21, in line 1, “received” should be replaced by –receive--.

Regarding claim 23, in line 2, “received signal” should be replaced by –received communications signal--.

Regarding claim 24, “the device” should be replaced by –the wireless communications device--.

Appropriate correction is required.

Allowable Subject Matter

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4. The indication of allowable subject matter is made regarding claims 1-24.

5. The following is a statement of reasons for the indication of allowable subject matter:

Claims 1-24 are indicated to contain allowable subject matter because the prior art of record does not anticipate or obviate the claimed subject matter including re-reading stored consecutive portions of received data in the condition that a false synchronization is detected. The prior art of record discloses the detection of a possible false synchronization, but does not re-read the data which had occurred before the false synchronization is detected.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following prior art is cited to further show the state of the art with respect to frame synchronizers.

U.S. Pat. No. 4316284 to Howard.

U.S. Pat. No. 4943985 to Gherardi.

U.S. Pat. No. 5107495 to Kamoi et al.

U.S. Pat. No. 5303270 to Fujii.

U.S. Pat. No. 5809094 to Masumoto et al.

7. This application is in condition for allowance except for the following formal matters:

The objections above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

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8. A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Perilla whose telephone number is (571) 272-3055. The examiner can normally be reached on M-F 8-5 EST.

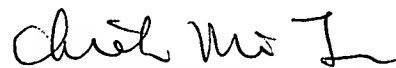
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (571) 272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jason M. Perilla
May 9, 2005

jmp



CHIEH M. FAN
PRIMARY EXAMINER